REPORT

DATE: March 1, 2007

TO: Administrative Committee
              Regional Council

FROM: Wayne Moore, CFO, (213) 236-1804, moore@scag.ca.gov

SUBJECT: Disadvantaged Business Enterprise (DBE) Race-Neutral Implementation Agreement

EXECUTIVE DIRECTOR'S APPROVAL: _[signature]_

RECOMMENDED ACTION:

Approve the attached Disadvantaged Business Enterprise (DBE) Race-Neutral Implementation Agreement to replace and supersede the SCAG DBE Program approved by the Regional Council in September 2004.

BACKGROUND:

In September 2004, the SCAG Regional Council approved the SCAG DBE Program Policy Statement (SCAG DBE Program) in accordance with the requirements of the U.S. Department of Transportation (DOT). This was required as a condition of receiving Federal assistance from DOT, and as an assurance that the program would comply with 49 Code of Federal Regulations (CFR) Part 26.

Effective May 1, 2006, SCAG was required to implement a wholly Race-Neutral DBE (solicitations without a DBE goal requirement) program in accordance with new Caltrans' local programs procedures. As a result of the new requirements, SCAG executed a "Disadvantaged Business Enterprise Race-Neutral Implementation Agreement for SCAG" (DBE Race-Neutral Implementation Agreement) and "Local Agency DBE Annual Submittal Form for SCAG."

In November 2006, Caltrans notified SCAG of technical changes to the Caltrans DBE requirements, and requested that SCAG submit an amended DBE Race-Neutral Implementation Agreement. The technical changes consist of clarifying the Race-Neutral means of meeting the annual DBE goal. Section V of the attached DBE Race-Neutral Implementation Agreement reflects this change.
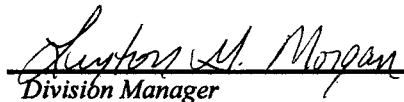
Therefore, SCAG has submitted to Caltrans the attached, new "Disadvantaged Business Enterprise Race-Neutral Implementation Agreement for SCAG," in accordance with Caltrans procedures, and SCAG has implemented the applicable new requirements.
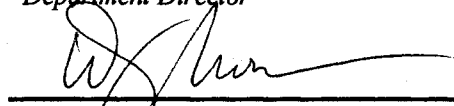
FISCAL IMPACT:
None

Reviewed by: _____
Division Manager

Reviewed by: _____
Department Director

Reviewed by: _____
Chief Financial Officer